IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 5261 of 1995

Between:

D.R.K. Sayoji Rao, S/o. Sri Sitharamaiah,
R/o. Plot No. 12, Door No. 54-16-1/27A.
Veterinary Colony, Vijayawada-520 008. **..... PETITIONER**

AND

1. The Government of Andhra Pradesh, rep. by its Secretary,

Industries & Commerce Departments,
Secretariat, Hyderabad.

2 The Managing Director, Sirsilk Limited, ,

Penderghat Road, Amar Apartments, Secunderabad.

3 The Chairman, Sirsilk Limited,

Penderghast Road, Secunderabad.

4 Sri J.Harinarayana, IAS,

Managing Director,A.P.I.D.C.& Director, Sirsilk Limited,

Parishram Bhavan, Basheerbagh, Hyderabad.

5 The District Collector, Adilabad District, Adilabad.

..... RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction or writ, more particularly one in the nature of Writ of Mandamus, declaring the action of Respondents in not making the payment of retirement benefits and other dues as illegal, arbitrary and unjust; and consequently direct the Respondents No. 1 to 3 to make the payment of following amounts to the Petitioner, together with interest at 18% per annum from the due date till date of Payment:1. Gratuity - Rs.1,04,711.00, 2. Earned Leave encashment – Rs.16,225.00, 3.Bonus (Exgratia) – Rs.3,000.00, 4.Earned Leave arrears – Rs.14,400.00,

5.Exgratia towards daughter's marriage – Rs.15,000.00, 6.Arrears of Exgratia sanctioned by the President, Sirsilk Ltd. – Rs.10,000.00, 7. Bills due – Rs.71,086.00, 8.Bonus after re- appointment – Rs.2,625.00, 9. E.L. Encashment – Rs.8,600.00, 10.Unpaid Salary – Rs,6,800.00, and 11. Reimbursement of Expenses to visit Sirsilk Mills as a Member of Govt.Constituted committee – Rs.4,874.45,
Total: Rs.2,57,321.78 and pass such further or other order or orders as this Hon'ble Court may deem fit and proper under the Circumstances of the case.

Counsel for the Petitioner: MR.G.VIDYASAGAR

Counsel for the Respondents2 and 3: MR.S.RAVINDRANATH

Counsel for the Respondents1 & 5: G.P. for Industries & Commerce

Counsel for the Respondent No.4: None appeared.

The Court made the following:

ORDER:

It is represented by the learned counsel for the petitioner that the issue involved in this writ petition does not survive for adjudication and hence, the writ petition has become infructuous.

Recording the said submission of the learned counsel for the petitioner, the writ petition is dismissed as 'infructuous.'

No costs.

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D.S.R. VARMA, J

16th September, 2004

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To

1. The Secretary, Government of Andhra Pradesh,

Industries & Commerce Departments,
Secretariat, Hyderabad.

2 The District Collector, Adilabad District, Adilabad.

3. Two CCs to G.P. for Industries and Commerce, High Court Buildings,

Hyderabad (OUT).

4. Two CD copies.